[9th August 1965

Name of Scheme. (1)	Third Plan Provision. (2)	Anticipated expenditure in Third Plan. (3)
	(RUPEES IN LAKHS.)	
Health—		
1 Improvement to Taluk Headquarters hospitals including increase of bed strength by 1,500 beds	50·00	72·88
2 Improvement to District Headquarters Hospitals including increase by 1,000 beds in all District Headquarters Hospitals	30·00	75·21
3 Medical Colleges ..	200·00	279·35
4 National Malaria Eradication Programme	100·00	500·07
5 Urban Water-supply and Drainage Schemes	200·00	556·04
Welfare of Backward Classes.		
Scheduled Castes—		
1 Scholarships, Schooling charges (pre-metric) ..	30·00	134·88
2 Construction and maintenance of Hostels	20·00	62·44
Other Backward Classes—		
Scholarships	30·00	115·72

APPENDIX II.

[*Vide* item VI on page 40.]

L.A. Bill No. 16 of 1965.

(As passed by the Assembly.)

A Bill further to amend the Madras City Municipal Corporation Act, 1919.

Be it enacted by the Legislature of the State of Madras in the Sixteenth Year of the Republic of India as follows :—

1. *Short title and commencement.*—(1) This Act may be called the Madras City Municipal Corporation (Amendment) Act, 1965.

(2) It shall come into force on such date as the State Government may, by notification, appoint.

9th August 1965]

2. *Substitution of new section for section* 8, *Madras Act IV of* 1919.—For section 8 of the Madras City Municipal Corporation Act, 1919 (Madras Act IV of 1919) (hereinafter referred to as the principal Act), the following section shall be substituted, namely :—

" 8. *Withdrawal of Commissioner from office.*—The State Government may, at any time, withdraw the Commissioner from office and shall do so if such withdrawal is recommended by a resolution of the council passed at a special meeting called for the purpose and supported by the votes of such number of councillors as shall constitute not less than three-fourths of the sanctioned strength of the council.".

3. *Omission of section* 14, *Madras Act IV of* 1949.—Section 14 of the principal Act shall be omitted.

4. *Amendment of section* 24, *Madras Act IV of* 1919.—In section 24 of the principal Act, in the proviso, for the words " within fifteen days of the passing of the resolution ", the words " within a period of thirty days of the passing of the resolution or such further period not exceeding fifteen days as the State Government may, by general or special order, specify from time to time " shall be substituted.

5. *Insertion of new section 44-A in Madras Act IV of* 1919.—In Chapter II of the principal Act, after section 44, the following section shall be inserted, namely :—

" 44-A. *State Government's power to dissolve or supersede the corporation.*—(1) If, in the opinion of the State Government, the corporation is not competent to perform or persistently makes default in performing the duties imposed on it by law, or exceeds or abuses its powers, the State Government may, by notification, direct that the corporation be dissolved and reconstituted on such dates as the State Government may fix in that behalf or they may, if they think necessary, supersede the corporation for a specified period not exceeding three years and the notification shall be laid before both Houses of the State Legislature :

Provided that for the purpose of completing the elections to the corporation when it is dissolved, the State Government may, from time to time, extend the time fixed by them under this sub-section for its reconstitution.

(2) Before publishing a notification under sub-section (1), the State Government shall communicate to the corporation the grounds on which they propose to do so, fix a period of not less than thirty days for the corporation to show cause against the proposal and consider its explanations or objections, if any.

(3) Nothing contained in sub-section (1) shall affect the office of the Commissioner.

[9th August 1965

(4) On the date fixed for the dissolution of the corporation under sub-section (1), all its members as well as the Mayor and the Deputy Mayor (including councillors who are members of committees established or constituted by or under this Act) shall forthwith be deemed to have vacated their Offices and fresh elections shall be held in accordance with the provisions of this Act. The newly elected councillors shall enter upon their offices on the date fixed for the reconstitution of the corporation.

(5) Supersession shall take effect from noon on the date of publication of notification, if no date is therein specified, and thereupon the following consquences shall ensue :—

(*a*) All the members of the corporation as well as the Mayor and the Deputy Mayor (including councillors who are members of committees established or constituted by or under this Act) shall forthwith be deemed to have vacated their offices.

(*b*) All or any of the functions of the corporation, of the Mayor and of the committees established or constituted by or under this Act except the Taxation Appeals Committee may, during the period of supersession, be exercised and performed, as far as may be, and to such extent as the State Government may determine, by such person as the State Government appoint in that behalf and any such person may, if the State Government so direct, receive payment for his services from the municipal fund; the State Government may determine the relations of such person with themselves and may direct the Commissioner to exercise and perform any powers and duties of the corporation and of the committees aforesaid except the taxation appeals Committee in addition to his own.

(*c*) All or any of the functions of the Taxation Appeals Committee may, during the period of supersession, be exercised and performed by the chairman of the said Committee.

(6) On or before the expiry of the period of supersession notified under sub-section (1) the State Government may, by notification, for reasons to be stated in the notification, postpone the reconstitution of the corporation for a further period not exceeding one year at any one time, but the total period of supersession shall not in any case exceed three years.

(7) The State Government may reconstitute the corporation before the expiry of the period notified under sub-section (1) or sub-section (6).

(8) When the corporation dissolved or superseded under this section, the State Government until the date of the recostitution thereof and the reconstituted corporation thereafter shall be entitled to all the assets and be subject to all the liabilities of the corporation as on the date of the dissolution or supersession and on the date of the reconstitution respectively".

6. *Amendment of section* 85, *Madras Act IV of* 1919.—In section 85 of the principal Act, in sub-section (3)—

(1) for clause (*a*), the following clause shall be substituted, namely :—

" (*a*) Every appointment to any post included in Class I-A shall be made by the State Government."

(2) in clause (*b*), for the words, figure and letter " of any other officer included in Class I-A ", the words " to any post included in " shall be substituted.

(3) for clause (*c*), the following clause shall be substituted, namely :—

" (*c*) Every appointment to any post included in Class III or Class IV shall be made by the authority specified in sub-section (2) of section 93.".

7. *Amendment of section* 86, *Madras Act IV of* 1919.—In section 86 of the principal Act—

(1) in sub-section (1)—

(*a*) in the first proviso, the word, figure and letter " Class I-A " shall be omitted;

(*b*) in the second proviso, in clause (i), after the words " leave and leave allowances ", the words " allowances for house-rent carriage hire, travelling expenses or any other allowances " shall be inserted;

(2) after sub-section (1), the following sub-section shall be inserted, namely :—

" (1-A) The State Government may—

(*a*) recover from the corporation the whole or such proportion of the salary and allowances paid to any Class I-A officer and such contribution towards his leave allowances, pension and provident fund as the State Government may, by general or special order, determine;

(*b*) at any time, withdraw any Class I-A officer and appoint another in his place.".

8. *Amendment of section* 87, *Madras Act IV of* 1919.—In section 87 of the principal Act, in sub-section (1), the word, figure and letter " Class I-A " shall be omitted.

9. *Amendment of section* 88, *Madras Act IV of* 1919.—In section 88 of the principal Act—

(1) in sub-section (1), the word, figure and letter " Class I-A " shall be omitted;

(2) in clause (*a*) of the proviso, after the words " leave and leave allowances ", the words " allowances for house-rent, carriage hire, travelling expenses or any other allowances " shall be inserted.

10. *Amendment of section 92, Madras Act IV of 1919.*—In section 92 of the principal Act, for the words "corporation establishment", the words, brackets, figure and letter "officers and servants of the corporation (other than the assistant commissinoers, the personal assistant to the Commissioner and Class I-A officers)" shall be substituted.

11. *Insertion of new sections 94, 95, 96 and 97 in Madras Act IV of 1919.*—In Chapter IV of the principal Act, after section 93, the following sections shall be inserted, namely :—

"94. *Consultation with the Madras Public Service Commission.*—No appointment to any post included in Class I-B, Class II or Class III shalll be made except after consultation with the Madras Public Service Commission (hereinafter in this section and in section 95 referred to as "the Commission") :

Provided that no such consultation with the Commission shall be necessary in regard to the appointment—

(*a*) to any acting or temporary post for a period not execeeding one year ; or

(*b*) to such posts as may from time to time be specified by or the State Government in consultation with the Commissioner; or

(*c*) to a post when at the time of such appointment the person to be appointed thereto is in the service of the Central Government or any State Government ; or

(*d*) to a permanent or temporary post, if the person to be appointed is not likely to hold that post for more, than one year; or if such person is likely to hold the post for more than one year but not more than three years and the Commission advises that the appointment may be made without consulting the Commission.

95. *Power of the State Government to make regulations and reference to the State Government in case of difference between the Commission and the corporation.*—(1) The State Government may make regulations for the following matters, namely :—

(*a*) the procedure to be followed by the Commission in advertising posts, inviting applications, scrutinising the same and selecting candidates for interview;

(*b*) the procedure to be followed by the Commission for selecting candidates for appointment and by the corporation for consultation with the Commission ;

(*c*) any other matter which is incidental to, or necessary for, the purpose of consultation with the Commission.

(2) In the case of any difference of opinion between the Commission and the corporation on any matter, the corporation shall refer the matter to the State Government and the decision of the State Governent thereon shall be final.

9th August 1965]

96. *Provincialisation of any class of officers or servants under the corporation.*—(1) Notwithstanding anything contained in this Act, the State Government may, by notification, constitute any class of officers or servants of the corporation into a corporation service.

(2) Upon the issue of a notification under sub-section (1), the State Government shall have power to make rules to regulate the classification, methods of recruitment, conditions of service, pay and allowances and discipline and conduct of the corporation service thereby constituted and such rules may vest jurisdiction in relation to such service in the State Government or in such other authority or authorities as may be specified therein.

97. *Power of State Government to transfer officers and servants of the corporation or municipalities.*—Notwithstanding anything contained in this Act or in the Madras District Municipalities Act 1920 (Madras Act V of 1920), the State Government shall have power—

(*a*) to transfer any officer or servant of the corporation to the service of any municipality constituted under the Madras District Municipalities Act, 1920 (Madras Act V of 1920) or to transfer any officer or servant of any such municipality to the service of the corporation.

(*b*) to issue such general or special directions as they may think necessary for the purpose of giving due effect to any transfer made under clause (*a*). ".

12. *Amendment of section* 142, *Madras Act IV of* 1919.—In clause (i) of the proviso to sub-section (1) of section 142 of the principal Act, the words and figures " or without previous publication of the application under the Local Authorities Loans Act, 1914 and the rules issued thereunder " shall be omitted.

TRUTH ALONE TRIUMPHS